

AMENDED IN ASSEMBLY MAY 14, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1090

Introduced by Assembly Member Longville

February 20, 2003

An act to amend, *repeal, and add* Section 40420 of the Health and Safety Code, relating to air quality, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1090, as amended, Longville. South Coast Air Quality Management District: membership.

Existing law sets forth the requirements for membership on the South Coast Air Quality Management District governing board. One of those requirements is that all members shall be residents of the district.

This bill would except from that requirement, *until January 15, 2007*, the member appointed by the San Bernardino County Board of Supervisors.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 40420 of the Health and Safety Code is
- 2 amended to read:

1 40420. (a) The south coast district shall be governed by a
2 district board consisting of 12 members appointed as follows:
3 (1) One member appointed by the Governor, with the advice
4 and consent of the Senate.
5 (2) One member appointed by the Senate Committee on Rules.
6 (3) One member appointed by the Speaker of the Assembly.
7 (4) Four members appointed by the boards of supervisors of the
8 counties in the south coast district. Each board of supervisors shall
9 appoint one of these members, who shall be one of the following:
10 (A) A member of the board of supervisors of the county making
11 the appointment.
12 (B) A mayor or member of a city council from a city in the
13 portion of the county making the appointment that is included in
14 the south coast district.
15 (5) Three members appointed by cities in the south coast
16 district. The city selection committee of Orange, Riverside, and
17 San Bernardino Counties shall each appoint one of these members,
18 who shall be either a mayor or a member of the city council of a
19 city in the portion of the county included in the south coast district.
20 (6) A member appointed by the cities of the western region of
21 Los Angeles County, consisting of the Cities of Agoura Hills,
22 Avalon, Beverly Hills, Carson, Compton, Culver City, El
23 Segundo, Gardena, Hawthorne, Hermosa Beach, Hidden Hills,
24 Inglewood, Lawndale, Lomita, Los Angeles, Manhattan Beach,
25 Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach,
26 Rolling Hills, Rolling Hills Estates, Santa Monica, Torrance, West
27 Hollywood, and Westlake Village. These cities shall organize as a
28 city selection committee for the purposes of subdivision (f). The
29 member appointed shall be either a mayor or a member of the city
30 council of a city in the western region.
31 (7) A member appointed by the cities of the eastern region of
32 Los Angeles County, consisting of the cities in Los Angeles
33 County that are not listed in paragraph (6). These cities shall
34 organize as a city selection committee for the purposes of
35 subdivision (f). The member appointed shall be either a mayor or
36 a member of the city council of a city in the eastern region.
37 (b) All members shall be appointed on the basis of their
38 demonstrated interest and proven ability in the field of air
39 pollution control and their understanding of the needs of the

1 general public in connection with air pollution problems of the
2 South Coast Air Basin.

3 (c) The member appointed by the Governor shall be either a
4 physician who has training and experience in the health effects of
5 air pollution, an environmental engineer, a chemist, a
6 meteorologist, or a specialist in air pollution control.

7 (d) Each member shall be appointed on the basis of his or her
8 ability to attend substantially all meetings of the south coast
9 district board, to discharge all duties and responsibilities of a
10 member of the south coast district board on a regular basis, and to
11 participate actively in the affairs of the south coast district. No
12 member may designate an alternate for any purpose or otherwise
13 be represented by another in his or her capacity as a member of the
14 south coast district board.

15 (e) Each appointment by a board of supervisors shall be
16 considered and acted on at a duly noticed, regularly scheduled
17 hearing of the board of supervisors, which shall provide an
18 opportunity for testimony on the qualifications of the candidates
19 for appointment.

20 (f) The appointments by cities in the south coast district shall
21 be considered and acted on at a duly noticed meeting of the city
22 selection committee, which shall meet in a government building
23 and provide an opportunity for testimony on the qualifications of
24 the candidates for appointment. Each appointment shall be made
25 by not less than a majority of all the cities in the portion of the
26 county included in the south coast district having not less than a
27 majority of the population of all the cities in the portion of the
28 county included in the south coast district. Population shall be
29 determined on the basis of the most recent verifiable census data
30 developed by the Department of Finance. Persons residing in
31 unincorporated areas or areas of a county outside the south coast
32 district shall not be considered for the purposes of this subdivision.

33 (g) The members appointed by the Senate Committee on Rules
34 and the Speaker of the Assembly shall have one or more of the
35 qualifications specified in subdivision (c) or shall be a public
36 member. None of those appointed members may be a locally
37 elected official.

38 (h) Except for the member appointed by the San Bernardino
39 County Board of Supervisors, all members shall be residents of the
40 district.

1 ~~SEC. 2.—~~

2 (i) *This section shall remain in effect only until January 15,*
3 *2007, and as of that date is repealed, unless a later enacted statute,*
4 *that is enacted before January 15, 2007, deletes or extends that*
5 *date.*

6 SEC. 3. *Section 40420 is added to the Health and Safety Code,*
7 *to read:*

8 40420. (a) *The south coast district shall be governed by a*
9 *district board consisting of 12 members appointed as follows:*

10 (1) *One member appointed by the Governor, with the advice*
11 *and consent of the Senate.*

12 (2) *One member appointed by the Senate Committee on Rules.*

13 (3) *One member appointed by the Speaker of the Assembly.*

14 (4) *Four members appointed by the boards of supervisors of the*
15 *counties in the south coast district. Each board of supervisors shall*
16 *appoint one of these members, who shall be one of the following:*

17 (A) *A member of the board of supervisors of the county making*
18 *the appointment.*

19 (B) *A mayor or member of a city council from a city in the*
20 *portion of the county making the appointment that is included in*
21 *the south coast district.*

22 (5) *Three members appointed by cities in the south coast*
23 *district. The city selection committee of Orange, Riverside, and*
24 *San Bernardino Counties shall each appoint one of these members,*
25 *who shall be either a mayor or a member of the city council of a*
26 *city in the portion of the county included in the south coast district.*

27 (6) *A member appointed by the cities of the western region of*
28 *Los Angeles County, consisting of the Cities of Agoura Hills,*
29 *Avalon, Beverly Hills, Carson, Compton, Culver City, El Segundo,*
30 *Gardena, Hawthorne, Hermosa Beach, Hidden Hills, Inglewood,*
31 *Lawndale, Lomita, Los Angeles, Manhattan Beach, Palos Verdes*
32 *Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills,*
33 *Rolling Hills Estates, Santa Monica, Torrance, West Hollywood,*
34 *and Westlake Village. These cities shall organize as a city selection*
35 *committee for the purposes of subdivision (f). The member*
36 *appointed shall be either a mayor or a member of the city council*
37 *of a city in the western region.*

38 (7) *A member appointed by the cities of the eastern region of*
39 *Los Angeles County, consisting of the cities in Los Angeles County*
40 *that are not listed in paragraph (6). These cities shall organize as*

1 a city selection committee for the purposes of subdivision (f). The
2 member appointed shall be either a mayor or a member of the city
3 council of a city in the eastern region.

4 (b) All members shall be appointed on the basis of their
5 demonstrated interest and proven ability in the field of air
6 pollution control and their understanding of the needs of the
7 general public in connection with air pollution problems of the
8 South Coast Air Basin.

9 (c) The member appointed by the Governor shall be either a
10 physician who has training and experience in the health effects of
11 air pollution, an environmental engineer, a chemist, a
12 meteorologist, or a specialist in air pollution control.

13 (d) Each member shall be appointed on the basis of his or her
14 ability to attend substantially all meetings of the south coast
15 district board, to discharge all duties and responsibilities of a
16 member of the south coast district board on a regular basis, and
17 to participate actively in the affairs of the south coast district. No
18 member may designate an alternate for any purpose or otherwise
19 be represented by another in his or her capacity as a member of the
20 south coast district board.

21 (e) Each appointment by a board of supervisors shall be
22 considered and acted on at a duly noticed, regularly scheduled
23 hearing of the board of supervisors, which shall provide an
24 opportunity for testimony on the qualifications of the candidates
25 for appointment.

26 (f) The appointments by cities in the south coast district shall
27 be considered and acted on at a duly noticed meeting of the city
28 selection committee, which shall meet in a government building
29 and provide an opportunity for testimony on the qualifications of
30 the candidates for appointment. Each appointment shall be made
31 by not less than a majority of all the cities in the portion of the
32 county included in the south coast district having not less than a
33 majority of the population of all the cities in the portion of the
34 county included in the south coast district. Population shall be
35 determined on the basis of the most recent verifiable census data
36 developed by the Department of Finance. Persons residing in
37 unincorporated areas or areas of a county outside the south coast
38 district shall not be considered for the purposes of this subdivision.

39 (g) The members appointed by the Senate Committee on Rules
40 and the Speaker of the Assembly shall have one or more of the

1 *qualifications specified in subdivision (c) or shall be a public*
2 *member. None of those appointed members may be a locally*
3 *elected official.*

4 *(h) All members shall be residents of the district.*

5 *(i) This section shall become operative on January 15, 2007.*

6 SEC. 4. This act is an urgency statute necessary for the
7 immediate preservation of the public peace, health, or safety
8 within the meaning of Article IV of the Constitution and shall go
9 into immediate effect. The facts constituting the necessity are:

10 In order to ensure adequate representation of the people of San
11 Bernardino on the South Coast Air Quality Management District
12 governing board, it is necessary for this act to take effect
13 immediately.

